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Testimony of the Division of Licensing and Certification
Maine Department of Health and Human Services

Before the Joint Standing Committee on Health Coverage, Insurance and Financial Services

In support of LD 2166, *Resolve, Regarding Legislative Review of Chapter 6: Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel by Registered Professional Nurses, a Major Substantive Rule of the Department of Professional and Financial Regulation, State Board of Nursing*

Sponsor: Representative Mathieson
Hearing Date: February 5, 2026

Senator Bailey, Representative Mathieson, and members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services. My name is Bill Montejo, I am a registered nurse and I serve as the Director of the Division of Licensing and Certification in the Maine Department of Health and Human Services. I am here today to testify in support of LD 2166, *Resolve, Regarding Legislative Review of Chapter 6: Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel by Registered Professional Nurses, a Major Substantive Rule of the Department of Professional and Financial Regulation, State Board of Nursing.*

The Department strongly supports the proposed rule. This rule will bring the practice of nursing in Maine more in line with national standards, and more importantly it provides a mechanism for improved health outcomes in many Assisted Housing Facilities.

The Department worked with the Board of Nursing and stakeholders in the development of the rule and believes that the decision regarding delegation to unlicensed personnel should be determined by the Registered Nurse's professional judgement based on the patient's condition, the amount of supervision by an RN needed and the knowledge and competency of the unlicensed staff.

The rule outlines the responsibilities of the Registered Nurse to ensure that the delegation is appropriate and consistent with National Guidelines adopted by the National Council of State Boards of Nursing and the American Nurses Association. The rule also clearly articulates that the nurse can rescind the delegated practice based on their professional judgment that conditions changed and such delegation is no longer appropriate.

The Department strongly supports this rule as an important mechanism to improve the health of residents and quality of care and life in non-nursing facilities and home-based settings.

Thank you for your time and attention. I would be happy to answer any questions you may have and to make myself available for questions at the work session.